

2006

**THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

**ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT)
AMENDMENT BILL 2006 (NO 2)**

EXPLANATORY MEMORANDUM

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EXPLANATORY STATEMENT

ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) AMENDMENT BILL 2006 (NO 2)

Overview

The Road Transport (Safety and Traffic Management) Amendment Bill 2006 (No 2) (the Bill) amends the *Road Transport (Safety and Traffic Management) Act 1999* (the Act).

The Act

The Act provides for road rules and other matters concerning safety and traffic management on roads and road related areas.

Section 16 of the Act makes it an offence for a driver of a vehicle involved in an accident, in which someone dies or is injured, to fail to stop and give any necessary assistance within the driver's power to give.

The Bill

The Bill amends section 16 of the Act by increasing the penalty for the offence from a maximum of 50 penalty units and/or imprisonment for six months to a maximum of 200 penalty units and/or two years imprisonment.

The amendment made by the Bill is intended to more appropriately reflect the seriousness of the offence and render the ACT penalty more consistent with penalties for similar offences in other Australian jurisdictions.

Explanatory Statement

Road Transport (Safety and Traffic Management) Amendment Bill 2006 (No 2)

Details

Clauses 1, 2 and 3 – Formal clauses

Clauses 1, 2 and 3 are formal clauses which:

- state the name of the Bill once enacted;
- provide that the Bill commences the day after its notification on the Legislation Register; and
- state that the legislation amended by the Bill is the *Road Transport (Safety and Traffic Management) Act 1999* (the Act).

Clause 4 – amendment to section 16

Clause 4 amends section 16 of the Act to the effect that the maximum penalty which can be imposed for an offence under section 16 is increased from 50 penalty units or 6 months imprisonment or both, to 200 penalty units or 2 years imprisonment or both.

Clause 5 – Consequential amendment

Clause 5 makes a consequential amendment to the *Road Transport (Offences) Regulation 2005*. Schedule 1, Part 1.12 of that Regulation sets out the penalties for offences under the Act.